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Patent

Attorney Docket No. 1027550-000119

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

) MAIL STOP AMENDMENT

Minoru Suzuki et al.

) Group Art Unit: 3763

Application No.: 10/621,543

) Examiner: AAMER S. AHMED

Filing Date: July 18, 2003

) Confirmation No.: 2474

Title: PERITONEAL DIALYSIS APPARATUS  
AND CONTROL METHOD THEREOF

)

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- A Petition for Extension of Time is enclosed.
- \_\_\_\_\_ Terminal Disclaimer(s) and the  \$ 65  \$ 130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed.
- Also enclosed is/are: \_\_\_\_\_
- Small entity status is hereby claimed.
- Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  \$ 395  \$ 790 fee due under 37 C.F.R. § 1.17(e).
- Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- Applicant(s) previously submitted \_\_\_\_\_ on \_\_\_\_\_ for which continued examination is requested.
- Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	19	20	0	x \$ 50 (1202)	\$ 0
Independent Claims	11	11	0	x \$ 200 (1201)	\$ 0
<input type="checkbox"/> If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$ 0
<b>Total Claim Amendment Fee</b>					\$ 0
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					\$ 0

Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.

A check in the amount of \_\_\_\_\_ is enclosed for the fee due.

Charge \_\_\_\_\_ to credit card for the fee due. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date July 27, 2006

By:

  
Matthew L. Schneider  
Registration No. 32814

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620



Patent  
Attorney's Docket No. 1027550-000119

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Minoru Suzuki et al. ) Group Art Unit: 3763  
Application No.: 10/621,543 ) Examiner: AAMER S. AHMED  
Filed: July 18, 2003 ) Confirmation No.: 2474  
For: PERITONEAL DIALYSIS )  
APPARATUS AND CONTROL )  
METHOD THEREOF )

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated June 27, 2006, the following remarks are submitted.

The aforementioned Official Action indicates that the claims in this application are directed to three different inventions. As identified in the Official Action, the three inventions are as follows.

Group I invention recited in Claims 1-7, 16 and 17 directed to a peritoneal dialysis apparatus.

Group II invention set forth in Claims 8-11 and 18 directed to a method of controlling a peritoneal dialysis apparatus.

Group III invention set forth in Claims 12-15 and 19 drawn to a storage medium for storing a program.

Based on the observation that the three inventions are distinct from one another, a restriction requirement has been imposed requiring an election of one of the three inventions.

Applicants hereby elect, with traverse, the Group I invention recited in Claims 1-7, 16 and 17.

The election of the Group I invention is made with traverse because it is believed that at least as between the Group I and Group II inventions, the claims can be examined at the same time without serious burden. While it is recognized that the inventions may be separately classified, it is believed that the search required for the elected invention set forth in Claims 1-7, 16 and 17 would likely extend into those areas where the non-elected Group II invention would be searched. In addition, examining the claims directed to the non-elected Group II invention in addition to those directed to the elected invention would not require consideration of an unduly burdensome number of additional claims.

In light of the foregoing, withdrawal of the restriction requirement at least as between the Group I and Group II inventions, and examination of the claims of these two groups, including Claims 1-7, 16 and 17 directed to the elected invention, are respectfully requested.

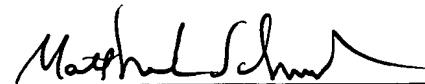
Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: July 27, 2006

By:

  
Matthew L. Schneider  
Registration No. 32814

P.O. Box 1404  
Alexandria, VA 22313-1404  
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